

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CARLOS MUHAMMAD,	:
Plaintiff	:
v.	: Case No. 3:13-cv-85-KRG-KAP
JOHN E. WETZEL, <u>et al.</u> ,	:
Defendants	:

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636 and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on October 10, 2013, docket no. 30, recommending that the defendants' motion to dismiss, docket no. 25, be granted.

The plaintiff was notified that pursuant to 28 U.S.C. § 636(b)(1), he had fourteen days to file written objections to the Report and Recommendation. Plaintiff has not filed objections and the time to do so has expired.

After review of the record and the Report and Recommendation, and noting the absence of timely objections thereto, the following order is entered:

AND NOW, this 29th day of October, 2013, it is

ORDERED that the defendants' motion to dismiss, docket no. 25, is granted and the complaint is dismissed without leave to amend. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Carlos Muhammad CA-8079
S.C.I. Somerset
1600 Walters Mill Road
Somerset, PA 15510